

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

CIVIL No. 12-CV-1841 (ADM/TNL)

JOHN HANCOCK LIFE INSURANCE COMPANY
(U.S.A.), ET AL.,

PLAINTIFFS,

ORDER

v.

ALLY FINANCIAL INC., ET AL.,

DEFENDANTS.

TO: Plaintiffs and Plaintiffs' attorneys Deborah A. Elman and Robert Gerson, Grant & Eisenhofer PA, 485 Lexington Avenue, 29th Floor, New York, NY 10017; Geoffrey C. Jarvis, Grant & Eisenhofer PA, 123 Justison Street, Wilmington, DE 19801; Elizabeth R. Odette Karen, Hanson Riebel and Richard A. Lockridge, Lockridge Grindal Nauen PLLP, 100 Washington Avenue South, Suite 2200, Minneapolis, MN 55401-2179; Brooks F Poley, Winthrop & Weinstine, PA, 225 S 6th Street, Suite 3500, Minneapolis, MN 55402-4629;

Defendants and Defendants' attorneys Robert J. Kopecky and Seth A. Gastwirth, Kirkland & Ellis LLP, 300 North LaSalle, Chicago, IL 60654, Timothy D. Kelly and Sarah E Bushnell, Timothy D. Kelly, P.A., 80 S 8th Street, Suite 3720, Minneapolis, MN 55402; Brad S. Karp and Susanna M. Buerger, Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, NY 10019-6064; Courtney E. Ward-Reichard, Peter D. Gray, and Veena A. Iyer, Nilan Johnson Lewis PA, 120 S 6th Street, Suite 400, Minneapolis, MN 55402; Lauren A. Moskowitz, Michael T. Reynolds, and Richard W. Clary, Cravath Swaine & Moore LLP, 825 Eighth Avenue, New York, NY 10019; Allison J. Cambria, David A. Castelman, and Penny Shane, Sullivan & Cromwell LLP, 125 Broad Street, New York, NY 10004-2498; Bret A. Puls, Michael J. Bleck, and Meghan M. Anzelc, Oppenheimer Wolff & Donnelly LLP, 222 S 9th Street, Suite 2000, Minneapolis, MN 55402; Robert A. Sacks, Sullivan & Cromwell LLP, 1888 Century Park East, Los Angeles, CA 90067-1725; Aric H. Wu, Lawrence J. Zweifach, and Robert Serio, Gibson Dunn & Crutcher LLP, 200 Park Avenue, New York, NY 10166-0193; Sharda R. Kneen and Terrence J. Fleming Lindquist & Vennum PLLP, 80 S 8th Street, Suite 4200, Minneapolis, MN 55402; Anna H. Fee, Richard H. Klapper, Theodore Edelman and Veronica Ip, Sullivan & Cromwell LLP, 125 Broad Street, New York, NY 10004-2498; Bryant D. Tchida and David R. Crosby, Leonard Street and Deinard, PA, 150 S 5th Street, Suite 2300, Minneapolis, MN 55402; Meredith E. Kotler and Shiwon Choe, Cleary Gottlieb Steen & Hamilton LLP, 1 Liberty Plaza, New York, NY 10006;

David H. Braff, Jeffrey T. Scott, and Joshua Fritsch, Sullivan & Cromwell LLP, 125 Broad Street, New York, NY 10004; David R. Marshall, Leah C. Janus, and Joseph J. Cassioppi, Fredrikson & Byron, PA, 200 S 6th Street, Suite 4000, Minneapolis, MN 55402-1425; Andrew B. Brantingham and James K Langdon, Dorsey & Whitney LLP, 50 S 6th Street, Suite 1500, Minneapolis, MN 55402-1498.

On September 24, 2012, Defendants filed Motions to Dismiss (Docket Nos. 62, 71, 77) in this matter.

IT IS HEREBY ORDERED:

1. Within 30 days of the Motion to Dismiss being denied or granted in part, Plaintiffs shall contact the chambers of Magistrate Judge Tony Leung, by letter or e-mail, for the purpose of scheduling a pretrial conference.
2. Failure to comply with this Order or any other prior consistent Order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like, including without limitation: assessment of costs, fines and attorneys' fees and disbursements; waiver of rights to object; exclusion or limitation of witnesses, testimony, exhibits and other evidence; striking of pleadings; complete or partial dismissal with prejudice; entry of whole or partial default judgment; and/or any other relief that this Court may from time to time deem appropriate.

Dated: September 25, 2012

s/ Tony N. Leung

Magistrate Judge Tony N. Leung
United States District Court
John Hancock vs. Ally Financial
12-CV1841